

PATENT
Attorney Docket No. BSC-273

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Desmond
SERIAL NO.: Not yet assigned GROUP NO.: Not yet assigned
FILING DATE: Herewith EXAMINER: Not yet assigned
TITLE: Variable Length Nephrostomy Sheath

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

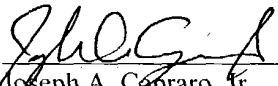
It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



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| FORM PTO - 1449 | | | | ATTORNEY DOCKET NO.: BSC-273 | | | | | |
|--|--|-----------------|----------|---|------------------------|-----------|----------------------------|---------------|--------------------|
| INFORMATION DISCLOSURE STATEMENT | | | | APPLICANT(S): Desmond | | | | | |
| | | | | SERIAL NO.: Not yet assigned | | | | | |
| | | | | FILING DATE: Herewith GROUP: Not yet assigned | | | | | |
| U.S. PATENT DOCUMENTS | | | | | | | | | |
| EXAM. INIT. | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE | | |
| | A1 | 3,982,544 | 9/28/76 | Dyck | 128 | 349 | 11/18/74 | | |
| | A2 | 4,652,258 | 3/24/87 | Drach | 604 | 53 | 12/18/84 | | |
| | A3 | 4,600,402 | 7/15/86 | Rosenberg | 604 | 96 | 12/18/84 | | |
| | A4 | 4,710,171 | 12/1/87 | Rosenberg | 604 | 117 | 6/9/86 | | |
| | A5 | 4,738,667 | 4/19/88 | Galloway | 604 | 281 | 11/4/86 | | |
| | A6 | 5,197,963 | 3/30/93 | Parins | 606 | 46 | 12/2/91 | | |
| | A7 | 5,250,025 | 10/5/93 | Sosnowski et al. | 604 | 51 | 1/10/92 | | |
| | A8 | 5,385,562 | 1/31/95 | Adams et al. | 604 | 280 | 1/19/93 | | |
| | A9 | 5,728,129 | 3/17/98 | Summers | 606 | 170 | 6/7/95 | | |
| | A10 | 5,765,682 | 6/16/98 | Bley et al. | 206 | 363 | 6/24/96 | | |
| | A11 | 5,827,227 | 10/27/98 | DeLago | 604 | 104 | 7/17/96 | | |
| | A12 | 6,090,072 | 7/18/00 | Kratoska et al. | 604 | 164 | 3/14/96 | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | | | |
| EXAM. INIT. | | DOCUMENT NUMBER | DATE | COUNTRY CODE | CLASS | SUB CLASS | FILING DATE | ABSTRACT ONLY | ENGLISH LANG (Y/N) |
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| OTHER ART, JOURNAL ARTICLES, ETC. | | | | | | | | | |
| EXAM. INIT. | OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication) | | | | | | | | |
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| EXAMINER | | | | | DATE CONSIDERED | | | | |